

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CONSTANTINO FIERRO,

Plaintiff,

v.

CAROLYN W. COLVIN, ACTING
COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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CIVIL ACTION NO. 14-6777

ORDER

AND NOW, this 22nd day of April, 2016, after considering the complaint (Doc. No. 3), the answer (Doc. No. 7), and the administrative record (Doc. No. 6); and after considering the report and recommendation filed by United States Magistrate Judge Lynne A. Sitarski (Doc. No. 15); and after reviewing the plaintiff's brief and statement of issues in support of the request for review (Doc. No. 8), the defendant's response to the request for review (Doc. No. 10), and the plaintiff's reply brief (Doc. No. 12); and the defendant having filed an uncontested motion to remand (Doc. No. 14); accordingly, it is hereby **ORDERED** as follows:

1. The clerk of court is **DIRECTED** to return this matter to the court's active docket;
2. The report and recommendation (Doc. No. 15) is **APPROVED** and **ADOPTED**;
3. The defendant's uncontested motion to remand (Doc. No. 14) is **GRANTED**;
4. The plaintiff's request for review is **DENIED AS MOOT**;
5. The final decision of the Commissioner is **VACATED** and this matter is **REMANDED** to the Commissioner, pursuant to sentence four of 42 U.S.C. § 405(g), for further proceedings; and

6. The clerk of court is **DIRECTED** to mark this matter as **CLOSED**.

BY THE COURT:

/s/ Edward G. Smith
EDWARD G. SMITH, J.